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UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA

11 Maria Abraham,

12 Plaintiff,

13 v.

14 ESIS, Inc., Ace American
15 Insurance Company,

16 Defendants.

Case No. C 07-04014 JCS

**DECLARATION OF
MARIA ABRAHIM IN OPPOSITION
TO MOTION TO COMPEL ARBITRATION**

Date: February 1, 2008
Time: 9:30 a.m.
Judge: Judge Joseph C. Spero
Dept: Courtroom A, 15th Floor

17 I, Maria Abraham, declare as follows:

18 1. I am the plaintiff in this action. I make this declaration from my personal
19 knowledge of the facts set forth herein, and if called as a witness, I could testify competently
20 hereto.

21 2. On March 15, 2000, I signed a document entitled "ACE Employee Guide: Receipt
22 and Agreement" ("ACE Employee Guide"), a copy of which is attached hereto as Exhibit A. To
23 my understanding, this was a document all employees were required to sign as a condition of
24 their employment.
25

26 Declaration of Maria Abraham in Opposition to Motion to Compel Arbitration
27 Case No. C07 4014 JCS
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3. At no time did any of defendants' agents or employees explain to me the provisions in the ACE Employee Guide dealing with employment dispute mediation and arbitration. Nor did anyone ever tell me that I had the option to revise or opt out of the provisions dealing with employment dispute mediation and arbitration.

4. I always understood and was led to believe that signing the ACE Employee Guide was mandatory and a condition of my continued employment with defendants.

7 I declare under penalty of perjury under the laws of the United States that the foregoing is
8 true and correct to the best of my knowledge and that this Declaration was executed on
9 January 4, 2008, at WestLake Village, California.

Maria Abraham
MARIA ABRAHIM

Declaration of Maria Abraham in Opposition to Motion to Compel Arbitration
Case No. C07 4014 JCS

EXHIBIT A

ACE EMPLOYEE GUIDE: Receipt and Agreement

This is to acknowledge that I have received and will take the time to review the ACE Employee Guide available to me on ACE's intranet site. I agree that it is my responsibility to read the Employee Guide and to understand and abide by the rules, policies, procedures and standards set forth in the Guide.

Maria Abraham
Print Name

Maria Abraham
Signature

03.15.00
Date

[To Be Placed in Employee's Personnel File]

**The term "ACE" as used throughout this guide means ACE INA Holdings Inc., ACE US Holdings, Inc., and their subsidiaries. ACE owns the subsidiaries for which most employees work. The term "the Company" means the particular ACE subsidiary that employs you.*